

compete. *See GA/LA Order* ¶ 101; *Five State Order* ¶ 128. Moreover, as in its previous two successful applications, BellSouth provides substantial evidence in this Application that its OSS are fully operational, handling commercial volumes, and functioning in compliance with the Act in all respects.

That conclusion is fully supported by both the FPSC and the TRA – each of which conducted extensive open proceedings as to BellSouth’s compliance. Indeed, BellSouth’s OSS have improved (and will continue to improve) beyond their already-compliant state because of those extensive state proceedings. Among other things, as part of its proceedings, the FPSC recently adopted BellSouth’s proposal to implement a “50/50 prioritization proposal,” whereby BellSouth and the CLECs share equally in the release capacity, and to establish and implement six new change management performance measures – three with associated penalties – to address CLEC concerns over the quality of software releases and timely correction of software defects. *See Stacy Aff.* ¶¶ 147, 196 (App. A, Tab I). Moreover, the FPSC recently ordered BellSouth to file a detailed action plan aimed at improving BellSouth’s already checklist-compliant flow-through performance and doubled the associated penalties for failure to meet those benchmarks. *See id.* ¶¶ 439-442.<sup>35</sup> Thus, although, as this Commission has already found, BellSouth’s flow-through performance is already satisfactory for purposes of checklist compliance, *see Five State Order* ¶¶ 151-155, it will continue to improve because of the FPSC’s oversight.

Moreover, at the request of CLECs, the FPSC hosted the “[CLEC] Experience Workshop” on February 18, 2002, to allow CLECs an opportunity to present “first hand . . . their

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<sup>35</sup> BellSouth’s flow-through action plan, which was filed with the FPSC, is attached to the affidavit of William Stacy as Exhibit WNS-102 (note that the cover sheets to the exhibits attached to the affidavit of William N. Stacy are inadvertently labeled as “OSS-\_\_” instead of “WNS-\_\_”). *See also Stacy Aff.* ¶¶ 440-441.

descriptions of problems and needs regarding BellSouth's OSS." *FPSC Staff OSS Rec.* at 60. All Florida CLECs were invited to attend and to file comments after the workshop. In its Final Recommendation, the FPSC Staff addressed in detail each of the more than 50 issues raised by CLECs during the workshop. *See id.* at 60, 96-216. Ultimately, the FPSC adopted its Staff's conclusion that "the most significant of these issues have been addressed either through the [Florida third-party test] or through action taken by the [FPSC] on its own motion," and that the remaining issues either were "not supported by the information available or do not reflect a systemic problem that inhibits the [CLEC's] ability to compete with BellSouth." *Id.* at 11.

As discussed above, moreover, in addition to these extensive OSS-related proceedings conducted by the FPSC and its Staff, the FPSC also oversaw a comprehensive third-party test of BellSouth's OSS. *See Stacy Aff.* ¶¶ 53-77. Overall, KPMG found that BellSouth had satisfied more than 97% of the evaluation criteria. *See id.* ¶ 68. Notably, the FPSC recently adopted its Staff's analysis and determined that the 14 "not satisfied" criteria "are not sufficiently significant to warrant a finding of overall noncompliance with the Act and do not deny [CLECs] a meaningful opportunity to compete with BellSouth in Florida." *FPSC Staff OSS Rec.* at 38. *See also Stacy Aff.* ¶ 68.

Indeed, as noted, since its successful section 271 application in Georgia and Louisiana, and during the pendency of BellSouth's recent Five State application, BellSouth has continued to work hard to improve its OSS in many ways responsive to CLEC concerns. In particular, under the active supervision of both the Florida and Georgia PSCs, BellSouth has strengthened its already compliant Change Control Process and taken additional steps to improve flow through of CLEC orders. Indeed, as stated above, the Florida PSC has ordered BellSouth to implement a plan to share equally in BellSouth's programming capacity, to adopt new performance

measurements for change control, and to file an action plan with penalties to improve flow-through performance. Likewise, the Georgia PSC has actively overseen another proceeding involving change control, which has already resulted in important improvements to the change control process. In light of the Commission's prior findings in the *Five State* and *GA/LA Orders*, as well as the substantial evidence provided in this Application, this Commission should find that BellSouth provides CLECs serving end users in Florida and Tennessee nondiscriminatory access to its OSS.

**a.      Regionality**

This Commission has repeatedly found that BellSouth's OSS are the same across its region. See *Five State Order* ¶ 133 ("We reject commenters' claims that BellSouth's OSS are not regional."); *GA/LA Order* ¶¶ 110, 111 (finding that BellSouth's "electronic processes are the same in Georgia and Louisiana" and that "its OSS in Georgia are substantially the same as the OSS in Louisiana"). Because the OSS used by BellSouth in Florida and Tennessee are the same as those used in the other seven states where this Commission has already found regionality, that finding applies fully to this Application. Moreover, the regionality of BellSouth's OSS has now been confirmed by all of the state commissions in BellSouth's region that have ruled on this issue. See *Stacy Aff.* ¶ 91; *TRA Reconsideration Order* at 6 ("BellSouth's Operations Support Systems are deemed to be regional."); *GA/LA Order* ¶ 111.<sup>36</sup> In addition, BellSouth has again supplemented those findings with substantial evidence in this Application demonstrating the sameness of its electronic and manual OSS across its region.<sup>37</sup> See *Stacy Aff.* ¶¶ 88-124

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<sup>36</sup> The Commission should afford the state commissions' findings substantial weight. See, e.g., *KS/OK Order* ¶ 107 ("We also recognize that both the Kansas and Oklahoma Commissions concluded that SWBT uses a common OSS in Kansas, Oklahoma and Texas."). See also *New York Order* ¶ 238.

<sup>37</sup> The Commission has set forth the criteria for determining whether OSS evidence from

(electronic OSS); *Ainsworth Aff.* ¶¶ 5, 6, 8-10, 16-28, 31, 37 (manual OSS) (App. A, Tab A); *Heartley Aff.* ¶¶ 3-46 (provisioning and maintenance and repair OSS) (App. A, Tab E); *Scollard Aff.* ¶¶ 6, 44-47 (billing OSS) (App. A, Tab H ).

Moreover, as in each of BellSouth's previous two applications, the sameness of BellSouth's OSS is supported by a third-party regionality audit. See *Stacy Aff.* ¶¶ 104-122. This comprehensive audit, which was conducted by PricewaterhouseCoopers ("PwC"), was modeled after the similar examination relied upon by this Commission in the *KS/OK Order*. See *id.* ¶¶ 107, 119. The Commission relied heavily on PwC's audit in both the *Five State* and the *GA/LA Orders* in finding that BellSouth's OSS are the same in the seven states that have already received 271 approval. See *Five State Order* ¶¶ 132-135; *GA/LA Order* ¶¶ 109-111. Because PwC's audit was not limited to Georgia and Louisiana, but rather tested whether "the same pre-ordering and ordering OSS, processes and procedures are used to support competing LEC activity across BellSouth's nine-state region," *GA/LA Order* ¶ 109 (emphasis added), PwC's findings are equally applicable to the OSS in Florida and Tennessee. There can be little doubt that BellSouth's OSS are the same across its nine-state region.

#### **b. Independent Third-Party Testing**

In addition to actual performance evidence, which is discussed in detail below, BellSouth's Application is also supported by the results of *two* independent third-party tests

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other states within the BOC's region is relevant. *GA/LA Order* App. D, ¶ 32. A BOC "must explain the extent to which [it] . . . employs the shared use of a single OSS, or the use of systems that are identical, but separate." *Id.* In conducting this "sameness analysis," the Commission will look "to whether the relevant states utilize a common set of processes, business rules, interfaces, systems and, in many instances, even personnel." *Id.*; see also *KS/OK Order* ¶ 111. "[W]here a BOC has discernibly separate OSS, it must demonstrate that its OSS reasonably can be expected to behave in the same manner." *GA/LA Order* App. D, ¶ 32. Finally, "[t]he Commission will also carefully examine third party reports that demonstrate that the BOC's OSS are the same in each of the relevant states." *Id.* BellSouth easily meets all of those criteria for both its electronic interfaces and its manual processes.

conducted by KPMG – one in Florida and one in Georgia – under the supervision of the Florida and Georgia PSCs, respectively. *See Stacy Aff.* ¶¶ 46-47. Although the two third-party tests “were designed differently and may vary in certain respects,” *GA/LA Order* ¶ 107, both tests were comprehensive in scope and conducted pursuant to an intensive, military-style independent evaluation, *see Stacy Aff.* ¶ 65; *GA/LA Order* ¶ 104, and both tests provide strong, additional evidence that BellSouth’s OSS provide CLECs across BellSouth’s region with a meaningful opportunity to compete. *See also Stacy Aff.* ¶ 46 (BellSouth met 97% of the criteria in the Florida test and 98% in the Georgia test).

Although BellSouth has long believed that the Georgia third-party test alone provided significant, meaningful evidence of BellSouth’s nondiscriminatory performance – a position that this Commission adopted in both the *GA/LA Order* (¶ 104) and the *Five State Order* (¶ 135) – the Florida test was as demanding as, if not more demanding than, the Georgia test. Indeed, AT&T has previously asserted that the Florida third-party test is “far more probative” than the Georgia third-party test because “the Florida test is being conducted with far greater independence by the tester, has the benefit of much broader and more detailed participation by affected CLECs, and most fundamentally, has been substantially more comprehensive and rigorous than the testing conducted in Georgia.” *AT&T GA/LA I Comments* at 18.<sup>38</sup> BellSouth does not agree with AT&T’s pejorative statements as to the Georgia test, *see Stacy Aff.* ¶ 77, but, in any event, it is beyond dispute that BellSouth’s successful completion of *both* tests strongly

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<sup>38</sup> *See also Covad Five State Comments* at 5 (describing the Florida test as more “comprehensive” and “independent” than the Georgia test); XO Communications Comments at 39-40, *GA/LA II 271 Proceeding*, CC Docket No. 02-35 (FCC filed Mar. 4, 2002) (“The Florida test gives the third-party tester more independence, has broader participation by affected CLECs, and has been substantially more comprehensive and rigorous than the testing conducted in Georgia.”); DOJ Evaluation at 6, *GA/LA I 271 Proceeding*, CC Docket No. 01-277 (FCC filed Nov. 6, 2001) (“The Florida test is broader in scope and promises to provide a more robust assessment of BellSouth’s OSS than did the Georgia OSS test.”).

bolsters the conclusion that BellSouth provides nondiscriminatory access to OSS across its region, as this Commission itself has now concluded twice, *see id.* ¶ 46.

*Florida Third-Party Test.* The Florida third-party test, which was developed under the supervision of and approved by the FPSC, evaluated BellSouth's OSS interfaces and processes used to provide pre-ordering, ordering, provisioning, maintenance and repair, and billing functions to CLECs. *See FPSC Staff OSS Rec.* at 13; *Stacy Aff.* ¶¶ 54, 64. Under the Florida test, KPMG also evaluated the ability of CLECs, with the documentation and support available from BellSouth, to develop OSS interface systems and software for each OSS function and to use these systems and software to provide telecommunications services. *See Stacy Aff.* ¶ 56. All stages of the BellSouth-CLEC relationship were considered, and each of the service delivery methods – including resale and use of UNEs and combinations of UNEs, including the UNE-P – were included in the scope of the test. *See id.* ¶¶ 61-62, 64. As the FPSC Staff has explained, “[t]he test was designed to examine all OSS interfaces in use and the vast majority of BellSouth product offerings” and “[t]he result was that KPMG[’s] . . . pseudo-[CLEC] transactions covered the gamut of products and scenarios.” *FPSC Staff OSS Rec.* at 15-16.

CLECs have been active throughout all stages of the Florida third-party test, from the test design stage all the way through the actual testing process. *See id.* at 14 (“The Commission’s third-party OSS test actively sought and obtained [CLEC] input in test planning, conduct and monitoring.”). *See also Stacy Aff.* ¶ 59. KPMG, under the direction of the FPSC Staff, held approximately 130 weekly CLEC status calls, 130 CLEC Exception calls, 130 CLEC Observation calls, and 15 face-to-face workshops and meetings. *See id.* ¶ 58. *See also FPSC Staff OSS Rec.* at 13. CLECs also participated in transaction testing through interviews with KPMG and information sharing regarding the CLEC OSS experience. *See Stacy Aff.* ¶ 59.

BellSouth satisfied 97% of the test criteria. *See id.* ¶ 67 & Exh. WNS-11; *FPSC Staff OSS Rec.* at 96 (“[t]he third-party OSS test results meet all but a few of the test criteria specified by KPMG Consulting and approved by the [Florida] Commission for testing”). In the areas of pre-ordering and ordering, KPMG found that BellSouth satisfied 106 of the 110 evaluation criteria, with two of the four “not satisfied” criteria associated with flow through. *FPSC Staff OSS Rec.* at 21. The FPSC, however, adopted its Staff’s conclusion that this exception did not warrant a finding of noncompliance given the recent flow-through improvements ordered by the FPSC. *See id.* at 23-24. With respect to relationship management, KPMG found that BellSouth satisfied 68 of the 74 evaluation criteria. *Id.* at 17. Three of the six “not satisfied” criteria related to release management and change management. Again, the FPSC adopted its Staff’s conclusion that these criteria had been adequately addressed by BellSouth’s recent improvements to its CCP, including the implementation of the “50/50 prioritization plan” and the adoption of six new change management performance measures. *See id.* at 17-19. KPMG also found that BellSouth had satisfied 109 of the 113 provisioning criteria,<sup>39</sup> as well as all 100 of the maintenance and repair criteria and all 87 of the billing criteria. *See id.* at 28-33.

In sum, the FPSC adopted its Staff’s analysis that, “[b]ased upon its review and participation in the testing, . . . many of the not-satisfied criteria [are] resolved or pending resolution at a time certain through a software change. Staff believes the remaining not-satisfied criteria do not constitute significant barriers to competition.” *Id.* at 11. The FPSC further found that “BellSouth provides [CLECs] nondiscriminatory access to its OSS” and that “BellSouth is

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<sup>39</sup> The four “not satisfied” criteria were associated with two open exceptions related to switch translation and directory listings. BellSouth disagreed with both of KPMG’s findings. The FPSC Staff agreed with BellSouth, finding that both exceptions involved nontypical testing scenarios that were “unlikely to be encountered in actual commercial practice.” *FPSC Staff OSS Rec.* at 29. Thus, the FPSC Staff concluded that neither exception had a “significantly meaningful impact on [a CLEC’s] ability to compete in the local market.” *Id.*

providing the necessary documentation and support functions and has demonstrated that its systems are operationally ready and provide an appropriate level of performance.” *Id.* at 96.<sup>40</sup>

*Georgia Third-Party Test.* Because, as explained above and validated by PwC, BellSouth’s OSS are regional, the Georgia third-party test also supports this Application.<sup>41</sup> And, as this Commission has twice concluded, based on its “review of the evidence in the record describing [KPMG’s] test process, and on the assurances provided by the Georgia Commission, . . . the results of KPMG’s test in Georgia provide meaningful evidence that is relevant to our analysis of BellSouth’s OSS.” *GA/LA Order* ¶ 108. *See also Five State Order* ¶ 135.

The Georgia third-party test was designed to focus on those specific OSS areas that had not yet experienced significant commercial usage, and about which CLECs had expressed concerns. *See Stacy Aff.* ¶ 80. KPMG thus conducted the test based on the Master Test Plan (“MTP”), which focused on UNE analog loops, UNE switch ports, and UNE-P and UNE combinations, and “reviewed the five OSS functions, as well as normal and peak volume testing of the OSS interfaces supporting pre-ordering, ordering, and maintenance and repair functions for both resale and UNE services.” *GA/LA Order* ¶ 103; *Stacy Aff.* ¶ 81 & Exh. WNS-15. In January 2000, the Georgia PSC ordered BellSouth to conduct additional testing in response to CLEC concerns. *See Stacy Aff.* ¶ 83; *GA/LA Order* ¶ 105. KPMG thus adopted the Supplemental Test Plan (“STP”), which included evaluations of the CCP for electronic interfaces, pre-ordering, ordering, and provisioning of xDSL-capable loops; pre-ordering, ordering and provisioning, maintenance and repair, and billing of resale services; and the

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<sup>40</sup> A full listing and description of the Florida test exceptions that remain open can be found in the affidavit of William N. Stacy (at Exhibit WNS-12). This exhibit describes the action that BellSouth has undertaken to resolve the issue identified in each exception, and it provides a materiality assessment based on commercial usage. *See Stacy Aff.* ¶ 71.

<sup>41</sup> The record before the TRA included both the Georgia and the Florida third-party tests. *See Stacy Aff.* ¶¶ 49, 85.



processes and procedures supporting collection and calculation of performance data. *See Stacy Aff.* ¶ 83; *GA/LA Order* ¶ 103. Notably, CLECs were active throughout the third-party process in Georgia – from the design of the MTP and the STP all the way through the testing process. *See Stacy Aff.* ¶¶ 84, 86.

Overall, KPMG analyzed more than 1,170 criteria, and the results fell into five categories: satisfied, not satisfied, not complete, no result (also known as “no report”), and not applicable. *See id.* ¶ 87. In KPMG’s Final Report, which was filed with the Georgia PSC on March 20, 2001, KPMG determined that 95.5% of the criteria were satisfied, 1.8% were “not satisfied,” 1.5% were “no report,” and 0.3% were “not applicable.” *See id.* Five criteria (all relating to metrics) remain categorized as “not complete” at this time. *See id.* Of the few not satisfied criteria, KPMG has given its professional opinion that most of these items would not, in and of themselves, have a material adverse impact on competition. *See id.*

**c. Change Management Process**

In both the *Five State* and the *GA/LA Orders*, this Commission concluded that “BellSouth provides competing carriers an effective systems change management process to which it has adhered over time.” *GA/LA Order* ¶ 194 (internal quotation marks omitted); *see Five State Order* ¶ 178 (“The record in this proceeding shows that BellSouth’s change management process, and its performance under this process, are comparable to or better than what we approved in the *BellSouth Georgia/Louisiana 271 Order* recently.”).

Because the CCP found nondiscriminatory in the *Five State* and *GA/LA Orders* is the same one used across BellSouth’s region, *see Five State Order* ¶ 178 n.664, the Commission’s prior findings, supplemented by the detailed evidence contained in the affidavit of William Stacy, *see id.* ¶¶ 132-293, establishes that BellSouth’s CCP provides CLECs with a meaningful opportunity to compete. *See also FPSC Staff OSS Rec.* at 17-19. Moreover, working with

CLECs and state commissions in its region – especially the FPSC and GPSC – BellSouth has continued to work to improve the CCP in several ways directly responsive to CLEC requests. Although the Commission noted some of these improvements in its recent *Five State Order*, it could not fully consider them in its decisionmaking process. *See Five State Order* ¶ 179 (noting that BellSouth had made a number of “improvements and future commitments to its change management process and performance that fall outside the period of [its] review of these applications”); *see also Stacy Aff.* ¶ 198 (summarizing CCP improvements in 2002).

As noted above, the FPSC recently adopted BellSouth’s proposal to implement its so-called “50/50 prioritization proposal,” under which BellSouth and the CLECs share release capacity equally after accounting for regulatory change requests and defect corrections, which are implemented first. *See id.* ¶ 216. More specifically, BellSouth will allocate one-half of the planned production release capacity to CLECs. *See id.* CLECs may then prioritize CLEC and BellSouth change requests according to their business needs, without any input from BellSouth. *See id.* BellSouth will then use the remaining half of planned production release capacity, and prioritize and implement its production release capacity according to its business needs. *See id.* BellSouth has developed and documented the internal processes that would accomplish all these tasks. *See id.* BellSouth has fully implemented this plan on a region-wide basis, and CLECs will have at least 50% of BellSouth’s production release capacity in 2003. *See id.* ¶ 219. As a result, the FPSC Staff concluded that “[CLECs] are now able to express priorities on changes they wish to see made to BellSouth[’s] OSS.” *FPSC Staff OSS Rec.* at 62. Notably, even before the FPSC

adopted BellSouth's proposal, KPMG had commented favorably on it in its draft and Final Report<sup>42</sup> in the OSS third-party test. *See Stacy Aff.* ¶ 140 & Exh. WNS-11.

The FPSC also recently ordered BellSouth to implement six new change control performance measures designed to track BellSouth's performance with respect to defects and implementation of change requests – two areas in which CLECs have raised issues. *See id.* ¶¶ 70, 147, 196. These measures are as follows: (1) CM-6: Percent of Software Errors Corrected in 10, 30, and 45 Business Days (depending on the type of error); (2) CM-7: Percent of Change Requests Accepted or Rejected Within 10 Business Days; (3) CM-8: Percent of Change Requests Rejected; (4) CM-9: Number of Defects in Production Releases; (5) CM-10: Software Validation; and (6) CM-11: Percent of Change Requests Implemented Within 60 Weeks of Prioritization. *See id.* ¶ 196. *See also Varner Aff.* ¶¶ 137-138. BellSouth has agreed to report data pursuant to these measures in Tennessee. *See Stacy Aff.* ¶ 196. Moreover, the FPSC has ordered BellSouth to pay penalties on three of those measures (CM-6, CM-7, and CM-11). *See id.* ¶¶ 147, 196. BellSouth has agreed voluntarily to pay these penalties in Tennessee as well. *See id.* ¶ 147. These measures and the associated penalties will provide additional assurance that BellSouth will continue to maintain the high level of performance that it has achieved in the CCP process. *See, e.g., KS/OK Order* ¶ 269 (“the fact that a BOC will be subject to performance monitoring and enforcement mechanisms . . . constitute[s] probative evidence that the BOC will continue to meet its section 271 obligations”).

BellSouth is also continuing its collaborative effort with CLECs, under the active supervision of the Georgia PSC, “to develop more transparent processes [to] enhance the usefulness of the process for both competing carriers as well as [BellSouth].” *GA/LA Order*

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<sup>42</sup> *See* BellSouth Telecommunications, Inc. OSS Evaluation Project, KPMG Final Report Version 2.0 (July 30, 2002) (“KPMG FL Final Report”) (App. C – FL, Tab 57).

¶ 185 n.697; *Five State Order* ¶ 185 (“We . . . take comfort in the fact that BellSouth appears to be continuing to improve its change management process under the auspices of the Georgia and Florida Commissions, and we expect BellSouth to continue to collaborate with competitive LECs.”) (footnote omitted).

BellSouth and CLECs have met numerous times over the past few months to discuss CLEC concerns. *See Stacy Aff.* ¶ 197. And, as a result of these meetings, the parties reached agreement on many CLEC issues. *See id.* ¶¶ 155-156. Among the issues to which BellSouth and the CLECs have agreed are the following:

- Completing all of the Top 15 CLEC change requests to be implemented by the end of this year with Release 11.0. Since January 1, 2002, BellSouth has already completed 34 changes requests, including 13 2/3 of the CLECs’ Top 15 change requests. *See id.* ¶¶ 141, 203.
- Expanding the definition of “CLEC-affecting” changes to BellSouth’s systems so that the CCP will apply to a broader array of changes. In fact, BellSouth accepted CLECs’ proposed definition verbatim. BellSouth further agreed to provide CLECs with all the information that CLECs contend they need to determine if a change is CLEC-affecting under the new definition. *See id.* ¶¶ 137, 198-199.
- Provide CLECs with additional information concerning future change capacity in order to allow them to prioritize change proposals more efficiently. *See id.* ¶¶ 137, 198, 200-201.
- Enlarging the scope of the CCP to include the “development” of new interfaces. Previously, the CCP included only the introduction of new interfaces. *See id.* ¶¶ 137, 198.
- Enlarging the scope of the CCP to include changes made to relevant BellSouth documentation. *See id.*
- Including a representative of the Local Carrier Service Center (“LCSC”) and information technology group at CCP meetings, and having the appropriate subject matter experts and project managers participate in meetings, as needed. *See id.* ¶ 198.<sup>43</sup>

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<sup>43</sup> Although BellSouth and CLECs were able to reach agreement on many issues, some issues have been submitted to the Georgia PSC for resolution. *See Stacy Aff.* ¶ 204.

These improvements enhance what this Commission has already found to be a checklist-compliant OSS.

In fact, under this Commission's established criteria, there should be no serious dispute that BellSouth provides a compliant CCP. As the Commission explained in the *GA/LA Order*, to determine whether a CCP is compliant, the Commission examines whether the evidence demonstrates: (1) that information relating to the change management process is clearly organized and readily accessible to competing carriers; (2) that competing carriers had substantial input in the design and continued operation of the change management process; (3) that the change management plan defines a procedure for the timely resolution of change management disputes; (4) that there is a stable testing environment that mirrors production; and (5) that the BOC provides efficacious documentation for the purpose of building an electronic gateway. *GA/LA Order* ¶ 179. The Commission also examines whether a BOC has complied with the requirements of its plan. *See id.* As the Commission concluded in both the *Five State* and the *GA/LA Orders*, BellSouth's region-wide CCP meets all these criteria. *See id.* ¶¶ 179-197; *Five State Order* ¶¶ 181-207.

Change Management Plan Organization. BellSouth's CCP "is memorialized in a single document" and "available on BellSouth's [interconnection] website" so that CLECs can review it at any time. *GA/LA Order* ¶ 180 & n.672; *Stacy Aff.* ¶¶ 149-151. BellSouth also posts other documents to its website to assist CLECs in participating in the CCP. *See Stacy Aff.* ¶ 152. Because the CCP and other documents are used region-wide, BellSouth's change management plan remains clearly organized and readily accessible to competing carriers. *See Five State Order* ¶ 182.

Competing Carrier Input. In the *GA/LA Order*, this Commission stated:

BellSouth's Change Control Process was created with, and provides for substantial input from, competing carriers. First, the document provides for regularly scheduled change control meetings between BellSouth and competing carriers. Additionally, the Change Control Process provides for feedback from competing carriers through a process in which competing carriers rank all "[competitive] LEC affecting" change requests. Furthermore, the Change Control Process is not a static process, but rather allows participants to amend the process.

*GA/LA Order* ¶ 182 (alternation in original; footnotes omitted). *See also id.* ¶ 183 ("BellSouth demonstrates that the Change Control Process allows for substantial input from competing carriers because it allows competing carriers to prioritize change requests and that input, along with that of other stakeholders, is directly used to develop an overall release package."). *See also Five State Order* ¶ 183. Because BellSouth's CCP is the same across its region, those findings apply equally to the CCP used by CLECs serving end users in Florida and Tennessee.

BellSouth's current CCP continues to be the product of substantial CLEC input, and CLECs continue to have an ongoing voice in the current direction and operation of the CCP. *See Stacy Aff.* ¶¶ 154-155. First, BellSouth has continued to provide a forum whereby BellSouth and CLECs can discuss and implement improvements to the change control process. Since March 28, 2002, BellSouth has held 63 CCP meetings, many of which focused on process improvements. *See id.* ¶ 137. *See also GA/LA Order* ¶ 182. Indeed, since June 2002 alone, BellSouth has met with CLECs six times to discuss process improvements, including the go/no go recommendation and a new CLEC testing website. *See Stacy Aff.* ¶ 137. Second, in response to CLEC concerns, BellSouth recently expanded the scope of the CCP by, among other things, including development and implementation of new interfaces and adopting verbatim the CLECs' more expansive definition of a "CLEC-affecting" change. *See id.*

Third, as a result of the 50/50 prioritization plan discussed above, CLECs will have control of a significant part of BellSouth's production release capacity in 2003. As the Commission recently concluded, "We disagree with AT&T's characterization of BellSouth's 50/50 plan as 'patently inadequate.' . . . We find that BellSouth's proposal allows competitive LECs at least the same level of control over the prioritization of their change requests than they had under previous versions of BellSouth's prioritization process, including the one approved in the *BellSouth Georgia/Louisiana Order*. We also reject AT&T's assertion that BellSouth's control over BellSouth releases and over the total amount of capacity available for all releases means that carriers do not have adequate input into the change management process. We have only required BOCs to provide competitive LECs 'opportunities for meaningful input' in the change management process, not to relinquish control over their systems or to provide unlimited resources to implement all change requests." *Five State Order* ¶ 185 (footnotes omitted).

To enable the CCP effectively to implement this prioritization plan, BellSouth has begun to provide CLECs with release plans and change capacity information, both projected and historical. *See Stacy Aff.* ¶¶ 205-206, 210. Specifically, BellSouth has already provided CLECs with the historical capacity used in the first and second quarters of 2001. *See id.* ¶ 201. BellSouth has also begun to provide CLECs with projected capacity information for 2003. *See id.* ¶ 200. For example, before the prioritization meeting on May 22, 2002, BellSouth provided CLECs with the following information in terms of units: (1) capacity for two different release views; (2) estimated size of Type 2 flow-through requests; (3) estimated size of Type 4 requests; and (4) estimated size of Type 5 requests. *See id.* ¶ 202. CLECs used this information to slot requests in the different releases according to priority, size, and technical feasibility of the particular request. *See id.* BellSouth in turn used that information to scope the first 2003

production release and plan for future releases. *See id.* ¶¶ 202, 210. Clearly, as a result of these and other changes, CLECs will have on a going-forward basis both a projected-capacity view and actual-capacity view, by quarter, to enable them to compare projections with actual programming usage. *See id.* ¶ 201.

Dispute Resolution. BellSouth's CCP "defines a procedure for the timely resolution of change management disputes." *GA/LA Order* ¶ 186 (internal quotation marks omitted); *Five State Order* ¶ 186. *See also Stacy Aff.* ¶¶ 157-158. Indeed, in response to CLEC concerns, BellSouth recently revised its CCP dispute resolution procedure to start with a higher management level (Operations Assistant Vice President) and end with a higher management level (Network - Vice President). *See id.* ¶¶ 139, 159. *See also GA/LA Order* ¶ 186 n.699. As before, the CCP allows both CLECs and BellSouth to take disputes beyond the escalation procedures to the appropriate state commission. *See Stacy Aff.* ¶ 160. Still, use of the escalation and dispute resolution procedures under the CCP – which were agreed to by CLECs, were approved by several state commissions, and apply to all CLECs region-wide – has been relatively rare, which indicates that the CCP is working effectively. *See id.* ¶ 161; *GA/LA Order* ¶ 186.

Testing Environment. As was the case when BellSouth filed its Five State and Georgia/Louisiana applications, BellSouth offers CLECs the same two testing environments across its region. *See Stacy Aff.* ¶¶ 164, 276. First, BellSouth's "original" testing environment allows competing carriers to test their systems when shifting from a manual process to an electronic interface, or when upgrading to a new industry standard. *See GA/LA Order* ¶ 187 n.701; *Five State Order* ¶ 187; *Stacy Aff.* ¶¶ 165-166. Second, BellSouth offers the CLEC Application Verification Environment ("CAVE"), which allows CLECs to test the ordering and



pre-ordering functions of upgrades to BellSouth's various electronic interfaces. *See GA/LA Order* ¶ 187 n.701; *Five State Order* ¶ 187; *Stacy Aff.* ¶¶ 168-169. As this Commission found in the *GA/LA Order*, "BellSouth's [CAVE] and 'original' testing environments allow competing carriers the means to successfully adapt to changes in BellSouth's OSS." *GA/LA Order* ¶ 187. The Commission repeated that finding in the *Five State Order*. *See Five State Order* ¶ 187. Moreover, it is clear that CAVE adequately mirrors, and is physically separate from, BellSouth's production environment. *See GA/LA Order* ¶¶ 187-189; *Five State Order* ¶ 188; *Stacy Aff.* ¶¶ 168, 173. Finally, although the scheduled availability of CAVE is sufficient to allow CLEC testing, BellSouth is currently working to expand the availability of CAVE even further. *See Stacy Aff.* ¶ 171. As of August 30, 2002, 15 CLECs and vendors have successfully used CAVE to test LENS, TAG, and EDI. *See id.* ¶ 170.

BellSouth continues to offer CAVE under the same schedule as during its previous section 271 applications. Thus far, CAVE has been available to CLECs for most of 2002. For Release 10.6, testing began on July 26 and continued through August 23, 2002. *See id.* ¶¶ 144, 171. Following the implementation of Release 10.6, CAVE became available for post-release testing from August 23 through November 8. *See id.* Pre-soak testing for Release 11.0 is scheduled to start in CAVE on November 11 and run through December 6. *See id.* Clearly, BellSouth is providing CCP members with ample testing opportunities both before and after releases.

Moreover, as part of BellSouth's initiative to improve the CCP, BellSouth and CLECs have continued to work together to modify the CAVE testing process to make it even more useful to CLECs. *See Five State Order* ¶ 189. *See also Stacy Aff.* ¶¶ 277-279. These proposals include providing CLECs with a "go/no go recommendation" and expanding pre-ordering and

ordering test scenarios. *See id.* ¶¶ 14, 282-285. And BellSouth recently began beta testing a new testing website, which will enable CLECs to maintain a secure web-based profile and make arrangements for testing on-line. *See id.* ¶¶ 277, 281. Finally, on July 23, 2002, one week before the CAVE deployment date for Release 10.6, BellSouth began publishing a pre-release testing status report. *See id.* ¶ 280. This report, which is updated daily until the production implementation of the release, addresses all release-specific unresolved defects affecting CLECs that are found by the internal quality assurance testing groups. *See id.* Coupled with that report, BellSouth will conduct weekly conference calls during pre-release CAVE testing to provide the opportunity for comment and the exchange of information related to the testing. *See id.* The Commission has stated that these improvements “give [it] additional comfort in this area.” *Five State Order* ¶ 189.

Additionally, BellSouth’s performance in minimizing the number of defects continues to be strong. *See GA/LA Order* ¶ 195 (BellSouth “performs adequate internal testing before releasing software”). *See also Five State Order* ¶ 198 (finding that the “quality of BellSouth’s software releases has slightly improved” since the *GA/LA Order*); *Stacy Aff.* ¶¶ 248-274. In 2002 thus far, BellSouth has used less than 8% of its programming capacity for defect correction. *See Stacy Aff.* ¶ 214. On August 24-25, 2002, BellSouth implemented Release 10.6 with four Severity 3 (moderate impact) defects that affected fewer than 5% of the LSRs for a specific product: UCL-ND (non-designed unbundled copper loops). *See id.* ¶¶ 145, 256-257. CLECs were made aware of these defects through the pre-release CAVE testing report posted in August (see *Exhibit WNS-63*). BellSouth implemented workarounds for each defect. *See id.* ¶ 257. Moreover, only three CLEC-affecting defects attributable to Release 10.6 were discovered after the implementation of Release 10.6. *See id.* ¶¶ 14, 129. All have since been fixed. *See id.*

¶ 258. Overall, Release 10.6 was implemented with more than 19,800 function points and had a “defect density” of approximately 0.00055 defects per function point. *See id.* This compares very favorably to the industry standard “best in class” defect density of 0.0060. *See id.* Clearly, by all external standards, Release 10.6 was a success. *See id.*

Indeed, this Commission recently noted favorably that Release 10.6 “contains proportionately fewer defects than other recent releases.” *Five State Order* ¶ 200. The Commission stated that it was “encouraged” by that fact. *Id.*

Moreover, the FPSC has ordered three new performance measures to gauge BellSouth’s performance with respect to defects, and has ordered new defect correction time frames that BellSouth has implemented. *See Stacy Aff.* ¶ 267.<sup>44</sup> Again, the Commission recently stated that, although these new improvements were not “decisional” in the Five State proceeding, these new metrics “will provide an incentive for BellSouth to improve its performance in this area.” *Five State Order* ¶ 201.

Documentation Adequacy. “BellSouth provides documentation sufficient to allow competing carriers to design their systems in a manner that will allow them to communicate with BellSouth’s relevant interfaces.” *GA/LA Order* ¶ 191; *see Five State Order* ¶ 190. That remains true today. *See Stacy Aff.* ¶¶ 180-182. Indeed, the efficacy of BellSouth’s documentation, information, and support for building electronic gateways is confirmed by the fact that approximately 35 CLECs use EDI and an average of 65 CLECs use TAG each month. *See id.* ¶ 180. *See also Texas Order* ¶ 120 (finding that “the adequacy of SWBT’s documentation is demonstrated by the fact that several competing carriers have constructed and are using [the]

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<sup>44</sup> Recently, the CCP participants voted to use the industry-standard severity levels and definitions for defects found during CLEC testing, rather than the levels and definitions in the then-current CCP document (High, Medium, and Low impact). *See Stacy Aff.* ¶ 271.

interfaces in a commercial environment”). Furthermore, hundreds of CLECs have established at least one electronic interface (including EDI, TAG, LENS, TAFI, and ECTA) to BellSouth’s OSS, which were used in the first six months of 2002 to submit more than 3.5 million service requests (94% of all requests were submitted electronically) and more than 579,990 electronic trouble reports. *See Stacy Aff.* ¶¶ 13, 14, 29. *See also GA/LA Order* ¶ 191 (“Numerous competitors are now using electronic interfaces for pre-ordering, ordering, and reporting troubles which is strong evidence that the documentation is adequate.”); *Five State Order* ¶ 190.

And, to ensure that the OSS documentation provided by BellSouth continues to meet the needs of CLECs, BellSouth has established a Documentation Subcommittee to discuss CLEC expectations and to consider improvements to the documentation associated with each Release. *See Stacy Aff.* ¶ 182. As the Commission properly explained in the *GA/LA Order*, it was confident that “BellSouth’s release documentation will continue to provide competing carriers a meaningful opportunity to compete in light of the newly devised documentation subcommittee in the Change Control Process.” *GA/LA Order* ¶ 196 n.753.

Adherence to the CCP. As this Commission found in the *GA/LA Order*, “BellSouth provides competing carriers an effective systems change management process to which it has adhered over time.” *Id.* ¶ 194 (internal quotation marks omitted). *See also Five State Order* ¶¶ 191-207. BellSouth continues to demonstrate “a pattern of compliance with the intervals established in the [CCP] for notification of a variety of system changes.” *GA/LA Order* ¶ 196; *Five State Order* ¶ 203; *Stacy Aff.* ¶ 184. Moreover, through the CCP, BellSouth has responded to CLEC-initiated change requests in a timely fashion, has promptly provided the requisite documentation associated with upcoming releases, and, as of August 31, 2002, had implemented

538 change requests (which include regulatory mandates, industry standard changes, BellSouth- and CLEC-initiated requests, and defects). *See Stacy Aff.* ¶ 184.

BellSouth's recent performance with respect to timely release of notices and documentation confirms that CLECs are provided a meaningful opportunity to compete. Between May and July 2002, there were two software-release notifications and two change management documentation notices issued. BellSouth met the benchmark for all of them. *See Varner Aff.* Exhs. PM-2 ¶¶ 97-98, PM-3 ¶¶ 93-94. Moreover, BellSouth provided all notifications of interface outages within the 15-minute benchmark during the three-month period. *See id.* Exhs. PM-2 ¶ 98, PM-3 ¶ 96.

Through the CCP, BellSouth has responded to CLEC-initiated change requests in a timely fashion. *See Stacy Aff.* ¶¶ 188-189. *See also GA/LA Order* ¶ 192 ("BellSouth demonstrates that it validates change requests for acceptance into the process in a timely manner and in accordance with the 10-day interval specified by the Change Control Process."); *Five State Order* ¶ 191. From June through August 2002, CLECs submitted 14 Type 5 change requests. BellSouth met the 10-day interval for 13 of those requests. *See Stacy Aff.* ¶ 189.

As was the case in the Georgia/Louisiana and Five State proceedings, BellSouth also acts reasonably in implementing eligible change requests once they are prioritized through the CCP. *GA/LA Order* ¶ 193 ("BellSouth adheres to the Change Control Process by demonstrating that it implements change requests prioritized by competing carriers through the Change Control Process."); *Five State Order* ¶¶ 192-197. Since January 1, 2002, BellSouth has implemented 34 change requests for features, including 13 2/3 of the CLECs' Top 15 change requests. *See Stacy Aff.* ¶¶ 141, 186. After Release 11.0 in December 2002, BellSouth expects to have implemented 40 change requests for features, including all of the CLECs' Top 15 change requests. *See id.*

These new features include upgrades that provide functionality not available from other successful 271 applicants at the time of approval. These upgrades include:

- Fully parsed CSR
- Single C order process
- Mechanized ordering for line splitting
- Mechanized ordering of unbundled digital channels
- Creation of new listings in LENS
- Ability to view multiple CSRs simultaneously
- Provision of connecting facility assignment information via pre-order inquiry
- Mechanized ordering of EELs
- Removal of telephone number from a LENS LSR

*See id.*

Also among the 40 requests already implemented, or to be implemented by the end of 2002:

- Mechanization of ordering for partial migration of UNE Loops
- Ability electronically to specify changes in directory delivery addresses
- UNE to UNE Bulk Migrations (significant programming effort in Release 11.0)
- Mechanization of Completion Notice on Incorrect LSR Version
- Electronic reject for invalid record change orders

*See id.* ¶ 142.

Even with the industry release that the CLECs have voted to implement, BellSouth still projects that it can complete approximately 70% of the change requests by year-end 2003. *See*

*id.* ¶ 233. BellSouth thus continues to “adhere[] to the [CCP] by demonstrating that it implements change requests prioritized by [CLECs] through the [CCP].” *GA/LA Order* ¶ 193.

CLECs may again raise issues over the number of features that BellSouth has implemented. It remains the case, however, that “BellSouth is implementing the most important competitive LEC-initiated change requests in a timely fashion.” *Five State Order* ¶ 194. Indeed, in making these arguments, CLECs largely ignore the substantial commitment made by BellSouth to keep up with CLECs’ demands for change requests. In 2002, BellSouth will spend approximately \$108,000,000 and 300,000 programmer hours implementing change requests, and BellSouth plans to devote comparable resources in 2003. *See Stacy Aff.* ¶ 211; *Five State Order* ¶ 194. And, as discussed below, these resources have translated into concrete and important upgrades, allowing CLECs to submit more than 3 million mechanized orders in the first six months of 2002. *See Stacy Aff.* ¶ 13.

Moreover, BellSouth is implementing change requests as quickly as possible given the timelines in the CCP and the inherent complexities in making simultaneous changes to a single OSS. *See id.* ¶ 212; *Five State Order* ¶ 178 (“[W]e recognize that change management is not an area that can be considerably improved overnight, and that time is required to demonstrate the results of process enhancements.”). The CCP timelines govern the number of releases that can be done in a given year by mandating a certain amount of lead time for each step in the process, including providing user requirements to CLECs (36 weeks prior to a release); finalizing those requirements; developing the specific system requirements; coding and testing the new functionality; and testing in CAVE prior to production. *See Stacy Aff.* ¶ 94.

Additionally, because only a limited number of developers can work simultaneously on LESOG – BellSouth’s service order generator that handles most types of LSRs – increased

funding would not appreciably accelerate development work. *See id.* ¶ 215. By analogy, this situation is akin to multiple people trying to edit multiple versions of the same word processing document simultaneously. *See id.* ¶ 213. This constraint puts a limit on the number of such releases that can be efficiently constructed at any one time. *See id.* ¶¶ 212-213. As part of its constant effort to update its systems, however, BellSouth has already begun deployment of a new and more flexible, scalable infrastructure that will, among other things, allow development parallel to LESOG and provide a rules-based service order generator that would accelerate future system development. *See id.* ¶ 215. BellSouth has discussed this infrastructure change with CLECs through the CCP and the state commissions. *See id.* The initial deployment of this new architecture provided the platform for ordering of xDSL loops, and, since that time, BellSouth has implemented electronic loop makeup and parsed CSR on this platform. This work is planned to continue into 2003 and 2004. *See id.*

Even if BellSouth could increase the amount of programming that can be conducted simultaneously, however, there is still a limit on the number of releases that can be done in a particular year because of the long lead times required by the CCP and the fact that each release must track the ones before it. *See id.* ¶¶ 212-213. And, because releases inherently cause disruptions to both BellSouth and CLECs, increasing the number of releases each year would not be desirable. *See id.* ¶ 213. Contrary to CLECs' assertions, therefore, BellSouth cannot, and should not, implement a limitless number of change requests.

**d. BellSouth's Systems**

BellSouth provides nondiscriminatory access to its OSS in Florida and Tennessee for pre-ordering, ordering, provisioning, maintenance and repair, and billing. *See GA/LA Order* ¶¶ 101-102; *Five State Order* ¶¶ 128-129. As explained below, BellSouth's OSS are operationally



ready, and BellSouth is providing CLECs in Florida and Tennessee with nondiscriminatory access to the five OSS functions in compliance with the Act and Commission orders.

**i. Pre-Ordering Functions**

The Commission has previously found that BellSouth's OSS – which are the same in all BellSouth states – provide CLECs with nondiscriminatory access to all pre-ordering functions.<sup>45</sup> *See GA/LA Order* ¶ 117; *Five State Order* ¶ 136. CLECs serving end users in BellSouth's region have access to their choice of electronic interfaces – TAG and LENS – to gain real-time access to the same pre-ordering databases used by BellSouth's retail representatives. *See Stacy Aff.* ¶¶ 297-298. TAG is BellSouth's industry-standard, machine-to-machine pre-ordering interface, and for each function accesses exactly the same data as BellSouth's retail marketing and sales support systems. *See id.* ¶ 297. BellSouth also provides CLECs with access to LENS, a web-based graphical user interface ("GUI"). *See id.* ¶ 298. LENS uses TAG's architecture and gateway, and thus provides CLECs with essentially the same real-time access to pre-ordering OSS as TAG does for CLECs. *See id.* Because BellSouth's OSS are the same across its nine-state region, CLECs serving end users in Florida and Tennessee use these same interfaces when serving end users in Georgia and Louisiana. *See id.* ¶ 90.<sup>46</sup>

BellSouth's performance in Florida and Tennessee confirms that BellSouth continues to offer CLECs nondiscriminatory access to pre-ordering functionality. CLECs across BellSouth's region are using LENS and TAG to submit an average of more than 1.5 million pre-ordering

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<sup>45</sup> Pre-ordering generally includes the activities that a carrier undertakes with a customer to gather and verify the information necessary to formulate an accurate order for that customer. It includes the following functions: (1) street address validation; (2) telephone number information; (3) services and features information; (4) due-date information; and (5) CSR information. *See GA/LA Order* App. D, ¶ 34 & n.100.

<sup>46</sup> On May 22, 2002, CLECs prioritized EDI Interactive Agent (change request CR0186) and EDI pre-ordering (change request CR0101) as first and second out of 26 change requests. These requests will be implemented in 2003. *See Stacy Aff.* ¶ 15.

transactions per month. *See id.* ¶ 12. Despite these large commercial volumes, TAG and LENS are consistently available when scheduled. Region-wide, between May and July 2002, both TAG and LENS were available more than 99.5% of the time that they were scheduled to be available – meeting the applicable benchmark. *See Varner Aff.* Exhs. PM-2 ¶ 85, PM-3 ¶ 82 (D.1.1.2, D.1.1.5).<sup>47</sup> Average response intervals for TAG and LENS have been solid. BellSouth met or exceeded the retail analogue for TAG in 29 of the 30 submetrics in every month from May through July 2002. *See id.* Exhs. PM-2 ¶ 88, PM-3 ¶ 85 (D.1.4.1.1 - D.1.4.9.2). BellSouth's average response intervals for LENS were equally strong, with BellSouth meeting 40 of the 42 submetrics during those three months. *See id.* Exhs. PM-2 ¶ 87, PM-3 ¶ 84 (D.1.3.1.1 - D.1.3.7.2).<sup>48</sup>

Any issues concerning the ability of CLECs to integrate BellSouth's pre-ordering and ordering interfaces were conclusively laid to rest in the *GA/LA Order*. *See also Stacy Aff.* ¶¶ 300-331. As this Commission found, "BellSouth's TAG pre-ordering interface can be successfully integrated with BellSouth's EDI ordering or TAG ordering functions in compliance with the standards previously established by the Commission in the *SWBT Texas Order*." *GA/LA Order* ¶ 121 (citing *Texas Order* ¶¶ 152-161). Moreover, as the Commission noted there, BellSouth now offers CLECs a fully parsed CSR. *Id.* ¶¶ 121, 126-130. To date, at least 12 CLECs have used the parsed CSR functionality to request 71,000 parsed CSRs. *See Stacy Aff.* ¶ 327. BellSouth will also continue to work with CLECs through the CCP to improve its parsed CSR functionality. For example, BellSouth added parsed hunting information in a release on

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<sup>47</sup> Although BellSouth's performance continues to be excellent, unplanned outages do occur. *See GA/LA Order* ¶ 118. BellSouth minimizes the inconvenience to CLECs by notifying them of outages in real-time via e-mail and web postings. *See Stacy Aff.* ¶¶ 460-467.

<sup>48</sup> Two seconds are added for CLEC security screening to equalize the response time with the retail analogue. *See Varner Aff.* Exhs. PM-2 ¶ 87, PM-3 ¶ 84.

March 23, 2002, and on May 22, 2002, CLECs prioritized as ninth out of 26 change requests a change request that will enhance the parsed CSR by translating, and then parsing, information for several additional fields. *See id.* ¶¶ 330-331.

Additionally, as in BellSouth's other states, BellSouth offers CLECs in Florida and Tennessee nondiscriminatory access to the actual loop makeup information ("LMU") contained in its records and databases. *See generally id.* ¶¶ 363-378. In full compliance with the obligations set forth in the *UNE Remand Order*, BellSouth provides CLECs access to the exact same LMU available to and used by its retail personnel, and in the same manner. *See id.*; *GA/LA Order* ¶ 112 ("Based on the evidence in the record, we find . . . that BellSouth provides competitive LECs with access to loop qualification information in a manner consistent with the requirements of the *UNE Remand Order*."). *See also Five State Order* ¶ 141.

LMU consists of the detailed information about the loop facilities serving a particular end-user address needed to determine the feasibility of providing a desired xDSL service over a loop. BellSouth's LENS and TAG interfaces allow CLECs to obtain real-time electronic access to the LMU contained in BellSouth's Loop Facilities Assignment & Control System ("LFACS"). *See Stacy Aff.* ¶ 367. BellSouth also has implemented an enhancement such that, when LFACS does not contain the requested LMU, LFACS automatically will send an electronic query to BellSouth's Corporate Facilities Database. *Id.* ¶ 368. In those instances where outside plant information is stored on paper records, CLECs can request that BellSouth's outside plant engineers perform a manual lookup should LFACS lack the desired LMU. *Id.* ¶¶ 369-370, 372;

*Milner Aff.* Exh. WKM-5 ¶¶ 23-24. With LMU in hand, CLECs can make their own determination as to the suitability of particular loops for the desired xDSL service.<sup>49</sup>

**ii. Ordering and Provisioning Functions**

BellSouth provides CLECs serving end users in Florida and Tennessee with the same three electronic ordering interfaces – EDI, TAG, and LENS – that it provides in the other states in BellSouth’s region. *See Stacy Aff.* ¶¶ 90, 380. This Commission has already found that “[BellSouth] provides nondiscriminatory access to its ordering systems.” *GA/LA Order* ¶ 135; *Five State Order* ¶ 144. Moreover, based on the criteria in the Commission’s previous orders, BellSouth’s recent performance in Florida and Tennessee confirms that BellSouth continues to meet the ordering requirements of this checklist item. Actual commercial usage of BellSouth’s ordering OSS has been extensive. As of July 2002, 35 CLECs were using EDI; 65 CLECs were using TAG; and 330 CLECs were using LENS to submit LSRs. *See Stacy Aff.* ¶ 14. During 2001, CLECs region-wide submitted more than 4.6 million LSRs. *See id.* ¶ 13. And, during the first six months of 2002, CLECs have submitted more than 3.5 million LSRs. *See id.* Moreover, the use of BellSouth’s electronic ordering interfaces continues to increase. In 2001, 89% of all requests were submitted electronically, whereas in January through July 2002, approximately 94% of all LSRs were submitted electronically. *See id.*

Even at these large and increasing volumes, the performance of BellSouth’s ordering systems has been excellent. Between May and July 2002, BellSouth’s EDI, LENS, and TAG interfaces were available more than 99.5% of the time that they were scheduled to be available.

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<sup>49</sup> BellSouth additionally offers CLECs access to its Loop Qualification System (“LQS”), a database designed for Network Service Providers (“NSPs”) to enable them to inquire as to whether plain old telephone service (“POTS”) lines will support BellSouth’s wholesale ADSL service. CLECs have electronic access to the exact same LQS database, and in the same time and manner, as NSPs. *See Stacy Aff.* ¶ 376.